

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-188-E - ORDER NO. 96-625
SEPTEMBER 9, 1996

IN RE: Application of Carolina Power & Light) ORDER GRANTING
Company for a Certificate of) CERTIFICATE OF
Environmental Compatibility and) ENVIRONMENTAL
Public Convenience and Necessity to) COMPATIBILITY
Construct a 230 kV Transmission Tap) AND PUBLIC
Line and Substation in Florence) CONVENIENCE AND
County, South Carolina.) NECESSITY

This matter is before the Public Service Commission of South Carolina ("the Commission") by way of the Application ("Application") of Carolina Power & Light Company ("the Company" or "CP&L") filed on June 7, 1996, seeking a Certificate of Environmental Compatibility and Public Convenience and Necessity ("Certificate") under S.C. Code Ann. §58-33-10 to -430 (1976). CP&L seeks a Certificate to construct a 230 kV substation and approximately 1.3 miles of 230 kV transmission tap line in Florence County, South Carolina, in the City of Florence.

Upon receipt of the Application, the Commission's Executive Director instructed the Company to cause to be published a prepared Notice of Filing and Hearing in newspapers of general circulation in the affected area in South Carolina. The Notice described the nature of the Application and provided general information on the manner in which interested parties might

participate in the proceeding. CP&L subsequently filed certain affidavits of publication indicating compliance with the instructions of the Commission's Executive Director. Additionally, CP&L served a copy of the Application on all parties as required by S.C. Code Ann. §58-33-120 (1976) and S.C. Code Ann. §58-33-140 (Supp. 1995). No Petitions to Intervene were filed with the Commission.

A public hearing was held on August 21, 1996, in the Commission's hearing room at 111 Doctors Circle. Len S. Anthony, Esquire, and William F. Austin, Esquire, represented the Company, and Florence P. Belser, Staff Counsel, appeared on behalf of the Commission Staff ("Staff"). At the hearing, J. David Smith, Engineering Supervisor for CP&L's Southern Region, and Brenda Brickhouse, Project Manager in CP&L's Transmission Department, testified on behalf of the Company.

Upon full consideration of the Company's Application, the evidence presented at the hearing, and the applicable law, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. CP&L seeks a Certificate to construct a 230 kV substation and approximately 1.3 miles of 230 kV transmission line, in Florence County, South Carolina, in the City of Florence. The proposed substation will be located on Darlington Street approximately .7 miles north of the Five Points area in Florence. The proposed transmission tap line will connect to the existing

Florence-Kingstree 230 kV transmission line approximately .4 miles east of the Interstate 95 and Sumter Street intersection and proceed approximately 1.3 miles in a southerly direction to the new substation.

2. According to the Application and testimony, four (4) factors forced CP&L to take action to address service reliability in the West Florence area. These factors included (1) a growing demand for electric power in the northwest Florence area, particularly along the Business I-20 spur and South Carolina Highway 29 (North Cashua Drive) such that existing transmission and distribution facilities are not able to reliably provide adequate service to this area during periods of heavy seasonal demand; (2) the proposed Florence Cashua 230 kV substation will relieve three 23kV feeders which have already exceeded their recommended loading guidelines by 7%; (3) due to the length of the feeders serving the load in the Five Points area, the electrical losses associated with these lines are significant and will increase as load growth continues in this area; and (4) the area in question is experiencing solid growth (particularly the commercial customers along the Business I-20 spur and North Cashua Drive), as this growth continues CP&L will have to take action to upgrade the facilities used to serve this area.

CP&L studied four (4) alternative methods to determine the most appropriate solution to these problems. CP&L considered building an express feeder from the Florence West 230kV substation to the Five Points area along Sumter Street and North Cashua

Drive; building an express feeder from the Florence Ebenezer 230kV substation to the Five Points area along West Palmetto Street; building an express feeder from the Florence Mt. Hope 115kV substation along Cherokee Road and/or Palmetto Street; and building a 230kV substation north of the Five Points area in the vicinity of Cashua Drive and Darlington Street, which is the alternative recommended by CP&L.

3. The proposed Florence Cashua 230kV transmission project will be constructed in an area which is primarily agricultural fields, but the project will require clearing approximately 4.1 acres of forest. The proposed transmission project will not impact any known threatened or endangered species or any known archaeological or historical resources. The proposed project crosses one drainage area and has stream or ditch crossings. The hydrology will not be altered in these areas and no unauthorized fill or discharge will be made in any wetlands.

The proposed transmission project will be visible to the public near road crossings. The proposed substation site will be landscaped using native species similar to the surrounding landscape. Along the proposed route, the proposed transmission line will blend with the surrounding landscape since the structures are made of corten steel. Additionally, the project will use single pole structures which have a smaller visual impact than H-frame or other typical transmission structures.

4. Environmental and land use impacts of the project were minimized during the initial siting process. The proposed

transmission line route follows a direct route, which will impact the least amount of land area.

5. Witnesses Smith and Brickhouse testified that the proposed project will conform to applicable State and local laws and regulations.

CONCLUSIONS OF LAW

1. S.C. Code Ann. §58-33-110 (1976) mandates that "[n]o person shall commence to construct a major utility facility without first having obtained a certificate issued with respect to such facility by the Commission." A major utility facility is defined, in relevant part, as "[a]n electric transmission line and associated facilities of a designed operating voltage of one hundred twenty-five kilovolts or more...". S.C. Code Ann. §58-33-20(2)(b) (1976).

2. In determining whether to approve or disapprove an application for a Certificate of Environmental Compatibility and Public Convenience and Necessity, this Commission must follow the directives of S.C. Code Ann. §58-33-160 (1976). Section 58-33-160 specifies as follows:

The Commission may not grant a certificate for the construction, operation and maintenance of a major utility facility, either as proposed or as modified by the Commission, unless it shall find and determine:

- (a) The basis for the need for the facility.
- (b) The nature of the probable environmental impact.
- (c) That the impact of the facility upon the environment is justified, considering the state of available technology and the nature and economics of the various alternatives

and other pertinent considerations.

- (d) That the facilities will serve the interests of system economy and reliability.
- (e) That there is reasonable assurance that the proposed facility will conform to applicable State and local laws and regulations issued thereunder, including any allowable variance provisions therein, except that the Commission may refuse to apply any local law or local regulation if it finds that, as applied to the proposed facility, such law or regulation is unreasonably restrictive in view of the existing technology, or of factors of cost or economics or of the needs of consumers whether located inside or outside of the directly affected government subdivisions.
- (f) That public convenience and necessity require the construction of the facility.

3. The Commission finds and concludes that there is a need for the proposed facility. As noted by the Application and the testimony of witness Smith, growth in the area in and around the City of Florence, particularly along the Business I-20 spur and North Cashua Drive has increased to the point that existing facilities are not able to reliably provide adequate service to this area during peak periods and has caused the facilities used to serve this area, at times, to exceed the applicable recommended loading guidelines by 7%.

4. The Commission also concludes that the probable environmental impact of the proposed project is minimal. As noted by the Application and testimony of witness Brickhouse, the Florence Cashua 230kV transmission project will not impact any known threatened or endangered species. Moreover, while the

transmission project has stream and ditch crossings, the hydrology will not be altered in these areas and no unauthorized fill or discharge will be made in any wetlands.

5. The Commission concludes that the impact of the facility upon the environment is justified in consideration of the available technology. As noted above, the environmental impacts of the chosen project are minimal. Further, the selected project will improve reliability of service, reduce distribution line losses, and provide for future load growth in the area; results which the three other alternatives would not produce.

6. The Commission concludes that the proposed utility facilities will serve the interests of system economy and reliability. The Commission finds that the proposed project is the most economical solution to the reliability concerns for the service area in the northwest area in and around the City of Florence.

7. Based upon the testimony of witnesses Smith and Brickhouse, the Commission is reasonably assured that the proposed facility will conform to applicable State and local laws and regulations.

8. The Commission concludes that, due to concerns of service reliability, public convenience and necessity requires the construction of the facility.

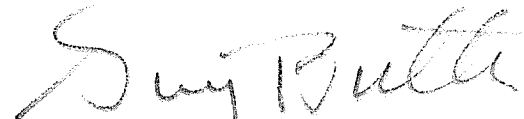
Based upon each of these conclusions, the Commission grants CP&L's Application for a Certificate of Environmental Compatibility and Public Convenience and Necessity to construct the proposed

facilities described in the Application and referred to as the Florence Cashua 230kV transmission project.

This Order shall remain in full force and effect until further Order of the Commission.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)